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REPORT ON THE STATUS OF THE IMPLEMENTATION OF THE OBLIGATIONS OF THE REGISTERED PIONEER INVESTORS UNDER RESOLUTION II AND THE RELATED UNDERSTANDINGS PREPARED BY THE SECRETARIAT

1. Pursuant to the decisions 1/ taken by the General Committee of the Preparatory Commission for the International Seabed Authority and for the International Tribunal for the Law of the Sea to register the pioneer investors, a series of understandings on the fulfilment of obligations by the registered pioneer investors and their certifying States were subsequently adopted. 2/ The understandings created several new obligations as a quid pro quo for the waiving of certain obligations required under resolution II.

2. Given the fact that the Preparatory Commission, in view of the imminent entry into force of the Convention, has concluded its work, it became necessary that an updated report on the status of the implementation of the obligations of the registered pioneer investors under resolution II and the related understandings should be made.

3. To this end, the Secretariat has prepared the present summary on the fulfilment of obligations by the registered pioneer investors as of August 1994 which will also form an integral part of the Preparatory Commission's certification of compliance by the registered pioneer investor with resolution II.

I. PERIODIC EXPENDITURES BY REGISTERED PIONEER INVESTORS

4. Resolution II, paragraph 7 (c), calls for periodic expenditures by the pioneer investor in the pioneer area of an amount to be determined by the Preparatory Commission. For France, India, Japan and the Union of Soviet Socialist Republics, paragraph 4 of LOS/PCN/L.87, annex, states that periodic

expenditures incurred in respect of the development of their respective pioneer areas shall be determined by the Preparatory Commission in consultation with and with the cooperation of each registered pioneer investor within 12 months of the adoption of the Understanding. The Understanding was adopted on 30 August 1990.

5. By paragraph 4 of LOS/PCN/L.102, annex, the same obligation applies to the China Ocean Mineral Resources Research and Development Association (COMRA), and by paragraph 4 of LOS/PCN/L.108, annex, to the Interoceanmetal Joint Organization (IOM). By paragraph 4 of LOS/PCN/L.115/Rev.1, annex, the same obligation also applies to the Government of the Republic of Korea.

Status

6. The Preparatory Commission has not determined the amounts of the periodic expenditures. The Commission has recognized that it was difficult at this stage to provide annual amounts of expenditure (LOS/PCN/L.113/Rev.1, para. 13).

7. The Russian Federation reported a total expenditure for 1990-1991 of US$ 850,000 (LOS/PCN/BUR/R.14).

II. REPORTING BY THE CERTIFYING STATE

8. Resolution II, paragraph 12 (b) (ii), requires the certifying State to report on activities carried out by it, its entities or natural or juridical persons. Paragraph 5 of LOS/PCN/L.87, annex, provides that reports to the Commission on pioneer activities as defined in resolution II, paragraph 1 (b), carried out in the pioneer areas by the certifying State (France, India, Japan and the USSR) shall be provided annually. Paragraph 5 of LOS/PCN/L.102, annex, paragraph 5 of LOS/PCN/L.108, annex, and paragraph 5 of LOS/PCN/L.115/Rev.1, annex, contain the same obligation for the certifying States: China, Bulgaria, Cuba, Czech and Slovak Federal Republic, 3/ Poland and Russian Federation; and the Republic of Korea respectively.

Status

9. The following periodic reports on the activities of the registered pioneer investors have been submitted to the Preparatory Commission by the certifying States:

Certifying State	Documents	Period covered
India 1991 a/	LOS/PCN/BUR/R.11 (27 February 1992)	1 September 1990-31 December 1991
	LOS/PCN/BUR/R.24 (27 March 1993)	1 January-31 December 1992
	LOS/PCN/BUR/R.34 (7 February 1994)	1 January-31 December 1993
Japan 1991 a/	LOS/PCN/BUR/R.12 and Corr.1 (28 February 1992)	1 September 1990-31 December 1991
	LOS/PCN/BUR/R.23 (25 March 1993)	1 January-31 December 1992
	LOS/PCN/BUR/R.35 (31 January 1994)	1 January-31 December 1993

Certifying State	Documents	Period covered
France 1991 a/	LOS/PCN/BUR/R.13 (2 March 1992)	1 September 1990-31 December 1991
	LOS/PCN/BUR/R.22 (23 March 1993)	1 January-31 December 1992
	LOS/PCN/BUR/R.31 (31 January 1994)	1 January-31 December 1993
Russian Federation	LOS/PCN/BUR/R.14 (6 March 1992)	16 August 1990-1 January 1992
	LOS/PCN/BUR/R.25 (26 March 1993)	1 January-31 December 1992
	LOS/PCN/BUR/R.43 (2 August 1994)	1 January 1993-1 August 1994
China	LOS/PCN/BUR/R.20 (2 March 1993)	1 January-31 December 1992
	LOS/PCN/BUR/R.33 (1 February 1994)	1 January-31 December 1993
Bulgaria, Cuba, Czech and Slovak Federal Republic, Poland and Russian Federation	LOS/PCN/BUR/R.30 (2 September 1993)	20 August 1992-30 June 1993
Republic of Korea b/		

a/ Year of submission of periodic report.

b/ As the Government of the Republic of Korea was only registered as a pioneer investor on 2 August 1994, it has not yet submitted any periodic report.

III. PROVISION OF DATA

10. The three registered pioneer investors IFREMER/AFERNOD (France), DORD (Japan) and Yuzhmorgeologiya (Russian Federation) were required as part of the preparatory work to compile and illustrate all the existing data in the areas reserved for the Authority (LOS/PCN/L.87, annex, para. 7 (a).

11. None of the provisions of the Understanding contained in LOS/PCN/L.87, annex, which applies to India as well as IFREMER/AFERNOD, DORD, and Yuzhmorgeologiya require India to provide any additional data on the Authority's reserved area in the South Central Indian Ocean basin resulting from its registration.

12. By paragraph 8 of LOS/PCN/L.102, annex, LOS/PCN/L.108, annex, and paragraph 7 of LOS/PCN/L.115/Rev.1, annex, COMRA (China), IOM (Bulgaria, Cuba,

Czech and Slovak Federal Republic, Poland and the Russian Federation) and the Republic of Korea respectively were required to provide computer diskettes containing data collected by them on stations and grade and abundance of nodules in the areas reserved for the Authority resulting from their registration.

Status

13. IFREMER/AFERNOD, DORD and Yuzhmorgeologiya submitted a joint report entitled "Preparatory work in the International Seabed Authority reserved area - August 1991" to the Preparatory Commission. That report was considered by the Group of Technical Experts from 18 to 20 February 1992. The Group found that the objective of the preparatory work had been fully met.

14. China has submitted a diskette containing the required data to the Preparatory Commission (LOS/PCN/BUR/R.21).

15. The delegation of Poland, on behalf of IOM, has submitted a preliminary report containing the required data (LOS/PCN/BUR/R.46).

16. As the Government of the Republic of Korea was only registered by the General Committee as a pioneer investor on 2 August 1994, it has not yet had the opportunity to submit the required data.

IV. RELINQUISHMENT

17. Under resolution II, paragraph 1 (e), the pioneer investor shall relinquish portions of the pioneer area to revert to the Area, in accordance with the following schedule:

(i) 20 per cent of the area allocated by the end of the third year from the date of the allocation;

(ii) An additional 10 per cent of the area allocated by the end of the fifth year from the date of the allocation;

(iii) An additional 20 per cent of the area allocated or such larger amount as would exceed the exploitation area decided upon by the Authority in its rules, regulations and procedures, after eight years from the date of allocation of the area or the date of the award of a production authorization, whichever is earlier.

Status

18. On 8 August 1994 (New York, 1-12 August 1994) the General Committee took up the question of the relinquishment of pioneer areas.

19. In document LOS/PCN/L.41/Rev.1, annex, it is stated that applicants which had relinquished in advance portions of the application areas simultaneously with the application shall be deemed to have complied with resolution II, paragraph 1 (e). This applies to France, Japan and the Russian Federation.

20. LOS/PCN/L.41/Rev.1, annex, paragraph 13 (3), requires India to conform to the provisions on relinquishment of resolution II. Under those provisions, India, which became a registered pioneer investor on 17 August 1987, was due to relinquish 20 per cent of its allocated area by 17 August 1990 and a further 10 per cent of the area allocated by 17 August 1992.

21. India has notified the General Committee that, in accordance with resolution II, 20 per cent of the pioneer area (30,000 square kilometres) had been relinquished. The area relinquished was that bounded by the lines joining the turning-points and the geographical coordinates indicated in the schedule annexed to document LOS/PCN/BUR/R.44.

22. The Interoceanmetal Joint Organization, registered on 21 August 1991, was due to relinquish 20 per cent of its allocated area by 21 August 1994 and a further 10 per cent of the area allocated by 21 August 1996.

23. The delegation of Poland, on behalf of the registered pioneer investor, Interoceanmetal Joint Organization (IOM), and its certifying States, has notified the General Committee that, in accordance with the schedule established in paragraph 1 (e) (i) of resolution II, IOM had relinquished 20 per cent of the pioneer area that was situated in the southern part of the pioneer area and which adjoined the area reserved for the Authority. The relinquished area measured 30,672 square kilometres or 20.45 per cent of the pioneer area (LOS/PCN/BUR/R.45).

24. The General Committee took note of the notifications of relinquishment of pioneer areas by the registered pioneer investors, the Government of India and the Interoceanmetal Joint Organization.

25. COMRA (China), which became a registered pioneer investor on 5 March 1991, was due to relinquish 20 per cent of its allocated area by 5 March 1994 and a further 10 per cent of the allocated area by 5 March 1996.

26. At the twelfth session of the Preparatory Commission, held at Kingston from 7 to 11 February 1994, China had reported the sinking of its research vessel R/V Xiangyanghong 16. As a consequence China had to postpone its arrangements to comply with the prescribed schedule for the relinquishment of areas (LOS/PCN/L.114/Rev.1, para. 14). China reiterated its intention to relinquish 30 per cent of its allocated area at the end of the fifth year, in accordance with resolution II, paragraph 1 (e).

27. The Republic of Korea, registered on 2 August 1994, is due to relinquish 20 per cent of its allocated area by 2 August 1997 and a further 10 per cent of the allocated area by 2 August 1999.

28. The General Committee recommended to the International Seabed Authority that the Council should continue monitoring the relinquishment of areas by the registered pioneer investors.

V. EXPLORATION PLAN FOR RESERVED AREAS IN THE CENTRAL REGION OF THE NORTH-EAST PACIFIC

A. General plan

29. A comprehensive plan for the early stages of exploration of one mine site in the area reserved for the Authority in the central zone of the North-east Pacific is contained in a report of the Group of Technical Experts to the General Committee (LOS/PCN/BUR/R.5).

B. Preparatory work

30. As was noted above (para. 10) three registered pioneer investors: IFREMER/AFERNOD (France), DORD (Japan) and Yuzhmorgeologiya (Russian Federation) had to prepare jointly the preparatory work which will consist of compiling and illustrating all the existing data on the areas reserved for the Authority in the central region in order to facilitate detailed planning and implementation of the first stage of the exploration plan.

Status

31. The list of data and information gathered by France, Japan and the Russian Federation on the Authority's reserved areas was submitted in August 1991. The report entitled "Preparatory work in the International Seabed reserved area - August 1991" was submitted to the Preparatory Commission and considered by the Group of Technical Experts from 18 to 20 February 1992. The Group found that the objective of the preparatory work had been fully met and recommended that the implementation of stage I of the exploration plan might now be undertaken. It also recommended that a detailed plan of work and operational schedule for stage I might be developed jointly by the three pioneer investors (LOS/PCN/BUR/R.10).

32. The General Committee approved the recommendations of the Group of Technical Experts on 12 March 1992 (LOS/PCN/L.102).

C. Stage I of the plan for exploration

33. The basis of the obligation for the first group of applicants (France, Japan and the Russian Federation) to assist the Preparatory Commission in the exploration of a mine site and in the preparation of a plan of work with respect to the mine site is to be found in document LOS/PCN/L.41/Rev.1, annex, paragraph 14 which states:

> "Notwithstanding the provisions of paragraph 12 (a) (i) of resolution II, the first group of applicants will assist the Preparatory Commission and the Authority in the exploration of a mine site for the first operation of the Enterprise and in preparing a plan of work in respect of such a mine site. The conditions and extent of this assistance will be discussed and agreed following registration, applying mutatis mutandis the provisions of paragraph 7 (c) of resolution II."

34. In the Understanding on the Fulfilment of Obligations of the Pioneer Investors and their Certifying States of 30 August 1990 (LOS/PCN/L.87, annex) the three registered pioneer investors (France, Japan and the then Soviet Union) undertook to carry out stage I of the plan of work for the exploration in accordance with paragraphs 25 to 35 of LOS/PCN/BUR/R.5. The work for stage I of the plan for exploration had to be implemented no later than the end of the second fiscal year after the completion of the review of the results of the preparatory work by the Group of Technical Experts, in accordance with paragraph 17 of LOS/PCN/BUR/R.5.

35. The cost of stage I was estimated to be US$ 7 million to US$ 9 million, to be shared among the three pioneer investors.

36. As the report of the preparatory work was approved on 12 March 1992, work on stage I was to begin no later than the end of 1994 (LOS/PCN/BUR/INF/R.12, para. 25).

37. With respect to the annual fixed fee payable under paragraph 7 (b) of resolution II the understanding stated that:

> "Provided that the obligations under paragraphs 2, 7 and 8 above have been satisfactorily complied with, the obligations of the three registered pioneer investors, France, Japan and the Soviet Union, under resolution II, paragraph 7 (b), to pay $US 1 million per annum shall upon the completion of stage I of the exploration plan be waived as of the date of their registration." (LOS/PCN/L.87, annex, para. 10)

38. This understanding further provided that "within three months of the deposit of the sixtieth instrument of ratification or accession, the Group of Technical Experts established in accordance with paragraph 6 of document LOS/PCN/L.41/Rev.1, annex, shall review the state of the deep seabed mining and make an assessment of the time when commercial production may be expected to commence. If, as a result of the review and the assessment, the Group of Technical Experts concludes that commercial production will not take place for an extended period of time, the Preparatory Commission shall recommend to the Authority that the annual fixed fee payable under annex III, article 13, paragraph 3, be waived for a relevant period" (LOS/PCN/L.87, annex, para. 12).

39. In accordance with the above, the Group of Technical Experts was convened from 26 to 28 January 1994, three months after the Convention had received its sixtieth instrument of ratification or accession, to review the state of deep seabed mining and make an assessment of the time when commercial production might be expected to begin. In the conclusions of its report to the General Committee the Group of Technical Experts stated:

> "As regards the time when commercial production may be expected to commence, the Group concludes as follows:
>
> "(a) Although the exact timing remains uncertain as a result of a variety of imponderable factors, commercial production from the deep seabed is likely at some time in the future because deep seabed resources constitute potential commercial prospects primarily on account of: (a) the

vastness of resources; (b) the multi-metal characteristics of the ore; and (c) the absence of insurmountable technological obstacles in the mining or processing of these resources;

"(b) It is, however, certain that commercial deep seabed mining will not take place during the remainder of the current decade (up to the year 2000);

"(c) It is also unlikely that commercial deep seabed mining will take place during the following decade (2001-2010);

"(d) An assessment of the time when commercial production from deep seabed mining may be expected to commence can be made with further precision when in the future large-scale feasibility studies and deep-sea tests for a sustained period are undertaken." (LOS/PCN/BUR/R.32, para. 57)

40. At the resumed twelfth session (New York, 1-12 August 1994), the General Committee took up the issues of the annual fixed fee and the obligation of the three registered pioneer investors, France, Japan and the Russian Federation, and of their certifying States to carry out stage I of the exploration work. The General Committee considered the issues relating to the waiver of the annual fixed fee payable under annex III, article 13, paragraph 3, in the light of the conclusions of the Group of Technical Experts contained in paragraph 57 of its report (LOS/PCN/BUR/R.32) and the decision of the Preparatory Commission embodied in document LOS/PCN/L.87, annex, paragraph 12, and decided to recommend to the Authority that the annual fixed fee payable by the registered pioneer investors upon entry into force of the Convention should be waived in a manner consistent with section 8, paragraph 2, of the annex to the Agreement relating to the Implementation of Part XI of the United Nations Convention on the Law of the Sea of 10 December 1982 (LOS/PCN/L.115/Rev.1, para. 16).

41. The General Committee decided also to waive the annual fixed fee of US$ 1 million provided for in resolution II, paragraph 7 (b), as of the date of registration and also referred to in document LOS/PCN/L.87, annex, paragraph 10.

42. The General Committee considered the obligation of the three registered pioneer investors, Institut Français de Recherche pour l'Exploitation de la Mer (IFREMER/AFERNOD), Deep Ocean Resources Development Co. Ltd. (DORD) and Yuzhmorgeologiya, and of their certifying States, France, Japan and the Russian Federation, to carry out stage I of the exploration work referred to in LOS/PCN/L.87, annex, paragraphs 7 and 8, and decided, without prejudice to the understanding on stage II contained in LOS/PCN/L.87, annex, paragraph 9, that the performance of the obligation should be deferred until the Legal and Technical Commission have determined that substantial exploration work was being carried out by any contractor, unless the Council decided, at the request of any registered pioneer investor, to make adjustments in accordance with paragraph 40 (a) of LOS/PCN/L.87 and section 1, paragraph 6 (a) (iii), of the annex to the Agreement relating to the Implementation of Part XI of the United Nations Convention on the Law of the Sea of 10 December 1982 (LOS/PCN/L.115/Rev.1, para. 17).

VI. TRAINING 4/

43. Resolution II, paragraph 12 (a) (ii), requires every registered pioneer investor to provide training at all levels for personnel designated by the Commission. The Special Commission for the Enterprise, Special Commission 2, was established in accordance with paragraph 8 of resolution I of the Third United Nations Conference on the Law of the Sea and was entrusted with the functions referred to in paragraph 12 of resolution II.

44. By paragraph 2 of LOS/PCN/L.87, annex, France, India, Japan and the Soviet Union were required to provide training pursuant to paragraph 12 (a) (ii) of resolution II in conformity with the specific programme for training approved by the Preparatory Commission in accordance with the principles, policies and guidelines contained in document LOS/PCN/SCN.2/L.6/Rev.1 and LOS/PCN/SCN.2/L.7 and taking into account the report contained in document LOS/PCN/BUR/R.6. It was agreed that the cost of such training would be borne by the four registered pioneer investors and would be free of cost to the Preparatory Commission. The precise number of trainees, the duration and the fields of training were to be agreed upon between the Preparatory Commission and each registered pioneer investor according to its capabilities. It was further agreed that the first group of trainees would consist of no less than 12 individuals.

45. By paragraphs 2 of LOS/PCN/L.102, annex, LOS/PCN/L.108, annex, and LOS/PCN/L.115/Rev.1, annex, the same obligation as had been agreed upon with respect to the first group of registered pioneer investors, with the exception of the number of individuals to be trained, which it was agreed "shall consist of no less than four individuals", applies to the China Ocean Mineral Resources Research and Development Association (COMRA), the Interoceanmetal Joint Organization (IOM) and the Government of the Republic of Korea respectively.

Status

46. The Training Panel approved all the training programmes of the registered pioneer investors, i.e., France, Japan, the Russian Federation, India, China and the Interoceanmetal Joint Organization, and selected candidates for the traineeships offered under those programmes. It has also been receiving progress reports on the implementation of some of those programmes.

A. Training programme of France

47. At its 1st meeting, the Panel considered and approved the training programme submitted by France (LOS/PCN/TP/1991/CRP.2). The programme was revised at the 2nd meeting to correct an error in the preambular paragraph of the profile on each traineeship, where instead of "Candidates should therefore possess", the correct wording should have been "After the training programme, candidates should therefore possess", because the capabilities listed were those the trainees would acquire after successfully completing the course. The revised programme (LOS/PCN/TP/1991/CRP.2/Rev.1), was announced in a draft note verbale which was submitted to the General Committee in document LOS/PCN/BUR/R.16. The programme offered one traineeship, of 9 to 15 months'

duration, in each of the following disciplines: mining geology and geological data processing; exploration geophysics; and naval engineering, starting in November 1992, exclusive of a language refresher course of up to three months if needed by the trainee.

48. The Panel proceeded to select candidates for the training programme of France at its 3rd meeting. A synopsis of the applications submitted for the traineeships under that programme was contained in document LOS/PCN/TP/1992/CRP.10. In view of the fact that there were no sufficiently qualified applicants for the traineeship in naval engineering, the Panel requested France to convert that traineeship into one in mining geology and geological data processing. The French authorities informally agreed to this and the Panel selected Mr. Admed Braham from Tunisia and Mr. Kaiser Gonçalves de Souza from Brazil for the two traineeships in mining geology and geological data processing; and Mr. Mamadou Ndiaye from Senegal for the traineeship in exploration geophysics (LOS/PCN/BUR/R.18).

49. The delegation of France submitted written progress reports on the implementation of its training programme at the 4th (LOS/PCN/TP/1993/CRP.16), 5th (LOS/PCN/TP/1994/CRP.20) and 6th (LOS/PCN/TP/1994/CRP.24) meetings of the Panel. The Panel was informed that Mr. Braham had successfully concluded his traineeship in September 1993 and that Mr. Kaiser Gonçalves de Souza and Mr. Mamadou Ndiaye had commenced their training in October 1993 and would complete it on 30 September 1994.

50. At its 6th meeting, the Panel proceeded to evaluate the training received by Mr. Ahmed Braham, who had trained from 8 November 1992 to 15 September 1993 in mining geology and geological data processing under the training programme of France. The Panel had at its disposal a copy of the report submitted by the trainee and the reports submitted by the delegation of France to the Training Panel at the 5th (LOS/PCN/TP/1994/CRP.20) and 6th (LOS/PCN/TP/1994/CRP.26) meetings. In addition the delegation of France had attested to the completion of the traineeship in a letter addressed to the Chairman of the Preparatory Commission for submission to the General Committee at the twelfth session of the Preparatory Commission in February 1994 (LOS/PCN/136). The Panel decided that the training had been carried out in accordance with the programme it had adopted and recommended the issuance of a training certificate to Mr. Braham by the Preparatory Commission (LOS/PCN/BUR/R.47). A copy of Mr. Braham's comprehensive report was given to the Secretariat for transfer to the Authority.

B. Training programme of Japan

51. Japan submitted its training programme (LOS/PCN/TP/1991/CRP.3) at the 1st meeting of the Training Panel. Following a review of that programme, the Panel considered that it required further elaboration. The commencement date (May 1993) and the duration of the programme (six months), seen in the light of the French programme, suggested the need for some modifications. The Panel also suggested that the note at the end of the programme to the effect that "all of the above are subject to change" created too much uncertainty. Japan informed the Panel that the annotation did not apply to the entire programme, but to specific elements that might be modified at the time the traineeships were being

implemented. The Panel requested Japan to consider making some adjustments to its programme. A revised programme was submitted by Japan to the 2nd meeting of the Panel (LOS/PCN/TP/1992/CRP.5). In its review of that programme, the Panel suggested in relation to profile 3 on training in electronic engineering that since electrical engineering related to power generati... and not electronics, it was not advisable to request qualifications in that discipline of applicants for the training programme. A corrigendum was issued to the document to reflect that point. The programme was then approved by the Panel (LOS/PCN/TP/1992/CRP.5 and Corr.1) and announced in a draft note verbale which was submitted to the General Committee in document LOS/PCN/BUR/R.16. The programme offered one traineeship in each of the following disciplines: geology; geophysics; and electronic engineering, starting in May 1993 for a period of approximately 10 months, inclusive of a language course.

52. At its 3rd meeting, the Panel proceeded to select candidates for the training programme of Japan. A synopsis of the applications submitted for the traineeships under that programme was contained in document LOS/PCN/TP/1992/CRP.10. The Panel selected Mr. Pramuan Kohpina from Thailand for the traineeship in geology; Mr. Eu-Dug Hwang from the Republic of Korea for the traineeship in geophysics; and Mr. Mahmoud Mohammad-Taheri from the Islamic Republic of Iran for the traineeship in electronic engineering (LOS/PCN/BUR/R.18). Those candidates were then designated by the Preparatory Commission for the traineeships (LOS/PCN/L.108, para. 15).

53. Japan informed the Panel, at its 5th meeting, that the above-mentioned three trainees would complete their training in February 1994.

54. At the 6th meeting, the Panel evaluated the training received by the three trainees from 18 May 1993 to 26 February 1994 under the training programme of Japan. It had at its disposal a report on the trainees submitted by Japan (LOS/PCN/TP/1994/CRP.24) and the reports submitted by Mr. Pramuan Kohpina who trained in geology; Mr. Eu-Dug Hwang who trained in geophysics; and Mr. Mahmoud Mohammad-Taheri who trained in electronic engineering, on the training they had received in Japan (LOS/PCN/TP/1994/CRP.25). The Panel decided that the training had been carried out in accordance with the programme it had adopted and recommended the issuance of training certificates to Mr. Kohpina, Mr. Hwang and Mr. Mohammad-Taheri (LOS/PCN/BUR/R.47). The three trainees each wrote one part of a tentative instruction manual for a survey of manganese nodule deposits entitled "Geology and prospecting of manganese nodules". A copy of that comprehensive report was given to the Secretariat for transfer to the Authority.

C. Training programme of the Russian Federation

55. The Union of Soviet Socialist Republics submitted its training programme (LOS/PCN/TP/1991/CRP.4 and Add.1) at the 1st meeting of the Training Panel. Following a review of that programme, the Panel considered that the proposed commencement date for the programme (October 1993) and its duration (six months), seen in the light of the French programme, suggested the need for some modifications. Another area of concern was the fact that in its programme the USSR required either the Governments whose trainees were their nationals or the

United Nations to pay for the passage of the trainees. The Panel requested the USSR to consider making some adjustments to its programme. A revised programme (LOS/PCN/TP/1992/CRP.11) was submitted by the Russian Federation to the 3rd meeting of the Panel and was approved by the Panel at the same meeting. The training programme was announced in a draft note verbale which was submitted to the General Committee in document LOS/PCN/BUR/R.19. The programme offered one traineeship in each of the following disciplines: marine geology; marine geophysics; and marine ecology, starting in October 1993 for a period of approximately 10 months, inclusive of a language course.

56. At its 4th meeting, the Panel proceeded to select candidates for the training programme of the Russian Federation. A synopsis of the applications submitted for the traineeships under that programme was contained in document LOS/PCN/TP/1993/CRP.14. The Panel selected Mr. Thomas M. Munyao from Kenya for the traineeship in marine geology; Mr. Juan Lorenzo Díaz Naveas from Chile for the traineeship in marine geophysics; and Mr. Samir A. Mutwalli from Saudi Arabia for the traineeship in marine ecology (LOS/PCN/BUR/R.26). Those candidates were then designated by the Preparatory Commission for the traineeships (LOS/PCN/L.113/Rev.1, para. 20).

57. The Russian Federation informed the Panel, at its 5th meeting, that of the three trainees, only Mr. Mutwalli and Mr. Díaz Naveas had presented themselves for the training programme and had commenced their training in October and November 1993 respectively. Mr. Munyao had been scheduled to commence his training on 1 October 1993 but never responded to the notifications sent to him by the Russian Federation. Since the deadline for the commencement of the training was now long past, the Russian Federation could grant no further postponement of that traineeship.

58. At the 6th meeting, the Russian Federation submitted a written report on the successful completion of the traineeships by Mr. Mutwalli and Mr. Díaz Naveas in July 1994 (LOS/PCN/TP/1994/CRP.29). It was pointed out that with the completion of the traineeships by the two trainees, the Russian Federation had fully discharged its obligation with respect to training. The reports of the trainees would be forwarded to the Secretariat for transfer to the Authority.

59. The Panel took note of the report submitted. It decided that, in the absence of the reports of the trainees, it could not proceed with an evaluation of the training received under the training programme.

D. Training programme of India

60. India submitted its training programme (LOS/PCN/TP/1992/CRP.6) at the 2nd meeting of the Training Panel. Following a review of that programme, the Panel considered that it would be more desirable for the programme to be reorganized so as to provide clear profiles for training in three of the eight priority disciplines set forth in document LOS/PCN/BUR/R.6. It was also pointed out that the six weeks' shipboard training offered was of too short a duration and should be increased. The Panel requested India to consider making some adjustments to its programme. A revised programme was submitted by India

(LOS/PCN/TP/1992/CRP.8) to the 3rd meeting of the Panel. In its review of that programme, the Panel decided that the upper age-limit of 35 should be changed to 40 years, which represented the age-limit established by the Panel at its 2nd meeting. A corrigendum was issued to CRP.8 to reflect that point as well as an editorial change, and the programme (LOS/PCN/TP/1992/CRP.8 and Corr.1) was then approved by the Panel at its 3rd meeting. The training programme of India was announced in a draft note verbale which was submitted to the General Committee in document LOS/PCN/BUR/R.19. The programme offered one traineeship in each of the following disciplines: mining geology; exploration geophysics; and chemical engineering, starting in October 1993 for a period of 10 months.

61. At its 4th meeting, the Panel proceeded to select candidates for the training programme of India. A synopsis of the applications submitted for the traineeships under that programme was contained in document LOS/PCN/TP/1993/CRP.14. In view of the fact that there were no sufficiently qualified applicants for the traineeship in chemical engineering, the Panel decided that the traineeship would need to be deferred and re-announced so that a suitable candidate could be selected at its next meeting. The Panel selected Mr. Khalid Abdullah Kadi from Saudi Arabia for the traineeship in mining geology and Mr. Kwame Odame Boamah from Ghana for the traineeship in exploration geophysics (LOS/PCN/BUR/R.26). Those candidates were then designated by the Preparatory Commission for the traineeships (LOS/PCN/L.113/Rev.1, para. 20). The traineeship in chemical engineering was re-announced in a new draft note verbale which was submitted to the General Committee in document LOS/PCN/BUR/R.28.

62. Once it became clear that the Panel would not hold another meeting in 1993 and would therefore not be able to select a candidate for the traineeship in chemical engineering, scheduled to commence in October 1993, India was requested by the Secretariat, in a letter dated 26 July 1993, to postpone the commencement of that traineeship until the middle or end of 1994. In its reply of 5 August 1993, India agreed to its postponement until the end of 1994 (LOS/PCN/TP/1993/CRP.17). A second corrigendum was issued to the training programme contained in LOS/PCN/TP/1992/CRP.8 and Corr.1 to reflect that decision. The note verbale announcing that traineeship, which was sent out to Governments by the Secretariat shortly thereafter, was also revised accordingly.

63. At its 5th meeting, the Panel selected Mr. Saad M. Ielea from Iraq for the traineeship in chemical engineering (LOS/PCN/BUR/R.36). A synopsis of his application was contained in document LOS/PCN/TP/1994/CRP.19. Mr. Ielea was designated by the Preparatory Commission for the traineeship in chemical engineering (LOS/PCN/L.114/Rev.1, para. 22).

64. India informed the Panel, at the 5th meeting, that Mr. Kadi and Mr. Boamah had commenced their training in October 1993.

65. At the 6th meeting, India reported that two of the three trainees, namely Mr. Khalid Abdullah Kadi (Saudi Arabia) and Mr. Kwame Odame Boamah (Ghana), had completed their training in July 1994 (LOS/PCN/TP/1994/CRP.27). The reports of the trainees on the training they had received in India were submitted to the Panel. India informed the Panel that the Department of Ocean Development would submit a report on the trainees at a later stage and that it would also issue

certificates to the trainees. Copies of that report and the certificates would be sent to the Secretariat for transfer to the Authority. The reports of the trainees were given to the Secretariat for transfer to the Authority.

66. The Panel took note of the report submitted. It decided that in the absence of the report of the Department of Ocean Development, it could not proceed with an evaluation of the training received under the training programme.

E. Training programme of China

67. China submitted its training programme (LOS/PCN/TP/1993/CRP.13) at the 4th meeting of the Training Panel. Following a review of that programme, the Panel considered that the academic requirements of applicants needed to be revised in order to conform to the criterion established by the Panel in that regard at its 2nd meeting. It was also proposed that the fourth stage of the traineeship in metallurgical engineering should contain the same requirement as the other traineeships being offered, namely that, based on the training of the previous stages, the trainee would be required to select a topic for research and prepare a detailed report in the training centre. The Panel requested China to consider making some adjustments to its programme. The training programme was revised at the same meeting (LOS/PCN/TP/1993/CRP.13/Rev.1) and was subsequently approved by the Panel and announced in a draft note verbale which was submitted to the General Committee in document LOS/PCN/BUR/R.27. The programme offered one traineeship in marine geology; one in marine geophysics; and two traineeships in metallurgical engineering, starting in March 1994, for a period of approximately 11 months, inclusive of a language course.

68. In the light of the decision not to hold another meeting of the Panel in 1993, in order to select candidates for the traineeships offered under the training programme of China, scheduled to commence in March 1994, China was requested by the Secretariat, in a letter dated 26 July 1993, to postpone the commencement of its training programme until the middle or the end of 1994. In its reply of 18 August 1993, China agreed to postpone its training programme and stated that the specific time for the implementation of the programme would be raised at the next meeting of the Panel (LOS/PCN/TP/1993/CRP.17). A corrigendum was issued to the training programme contained in LOS/PCN/TP/1993/CRP.13/Rev.1 to reflect that decision. The note verbale, which was sent to Governments by the Secretariat shortly thereafter, was also revised accordingly.

69. At its 5th meeting, the Panel proceeded to select candidates for the training programme of China, which, according to the Chinese expert, was scheduled to begin in May 1994. A synopsis of the applications submitted for the traineeships under the programme was contained in document LOS/PCN/TP/1994/CRP.19. In view of the fact that there were only two qualified applicants for the two traineeships in metallurgical engineering, one of whom was 41 years of age, the Panel decided that it needed to waive the age criterion it had established at its 2nd meeting. The Panel selected Mr. Mourad Kelkal from Algeria for the traineeship in marine geology; Mr. Ibrahim Sarour Balla from the Sudan for the traineeship in marine geophysics; and Ms. Natalya Chigrinova from Belarus and Mr. Kyung-Soo Choi from the Republic of

Korea for the traineeships in metallurgical engineering (LOS/PCN/BUR/R.36). Those candidates were then designated by the Preparatory Commission for the traineeships (LOS/PCN/L.114/Rev.1, para. 22).

70. China submitted a written report on the implementation of its training programme at the 6th meeting of the Panel (LOS/PCN/TP/1994/CRP.28). It reported that the four trainees had commenced their training in the middle of May 1994. They were currently undergoing theoretical as well as language training. Practical training on board a research vessel would take place in the middle of August 1994.

F. Training programme of the Interoceanmetal Joint Organization

71. The Interoceanmetal Joint Organization (IOM) submitted its programme (LOS/PCN/TP/1993/CRP.12) at the 4th meeting of the Training Panel. Following a review of that programme, the Panel considered that it would be desirable to specify where, when and how long each trainee would spend at the various institutions. It also expressed the need for better coordination of the conduct of the training in several institutes. Other proposals for revision related to the academic qualifications required of the applicants and the restriction of the traineeship in chemical/metallurgical engineering to only metallurgical engineering. The Panel requested IOM to consider making some adjustments to its programme. The training programme was revised at the same meeting (LOS/PCN/TP/1993/CRP.12/Rev.1) and was then approved by the Panel. The training programme was announced in a draft note verbale which was submitted to the General Committee in document LOS/PCN/BUR/R.27. The programme offered one traineeship in geophysics; one in marine ecology; and two traineeships in metallurgical engineering, starting between September and November 1994 for a period of approximately 10 months.

72. At its 5th meeting, the Panel proceeded to select candidates for the training programme of IOM. A synopsis of the applications submitted for the traineeships under that programme was contained in document LOS/PCN/TP/1994/CRP.19. In view of the fact that there was only one applicant for the two traineeships in metallurgical engineering and no applicant for the traineeship in marine ecology, the Panel requested IOM to convert one of the traineeships in metallurgical engineering and the traineeship in marine ecology to two traineeships in geophysics. IOM agreed to accept three trainees in geophysics and to adjust its training programme accordingly. The Panel then selected Mr. Jong-Nam Kim from the Republic of Korea, Mr. Arif Hussain from Pakistan and Mr. Ali Ibrahim Admed from the Sudan for the three traineeships in geophysics; and Mr. Alexandr Shevchyonok from Belarus for the one traineeship in metallurgical engineering (LOS/PCN/BUR/R.36). Those candidates were then designated by the Preparatory Commission for the traineeships (LOS/PCN/L.114/Rev.1, para. 22).

73. IOM informed the Panel at its 6th meeting that there would be no delay in the commencement of its training programme on 28 October 1994 and that it was ready to receive the trainees.

74. At the resumed twelfth session (New York, 1-12 August 1994), the General Committee considered and took note of the report of the Training Panel on its sixth and last session. It endorsed the recommendation of the Panel that the Preparatory Commission issue training certificates to Mr. Kohpina, Mr. Hwang, Mr. Mohammad-Taheri and Mr. Braham. The General Committee also considered and took note of the final report of the Panel. It decided to entrust to the Council the question of the follow-up of the training programmes, in particular the issues which the Panel had identified as outstanding and the recommendations it had made thereon in document LOS/PCN/BUR/R.48.

Notes

1/ Decisions in respect of the following pioneer investors: India, 17 August 1987 (LOS/PCN/94); Institut Français de Recherche pour l'Exploitation de la Mer (IFREMER/AFERNOD), 17 December 1987 (LOS/PCN/97); Deep Ocean Resources Development Co. Ltd. (DORD), 17 December 1987 (LOS/PCN/98); Yuzhmorgeologiya, 17 December 1987 (LOS/PCN/99); China Ocean Mineral Resources Research and Development Association (COMRA), 5 March 1991 (LOS/PCN/117); Interoceanmetal Joint Organization (IOM), 21 August 1991 (LOS/PCN/122); Government of the Republic of Korea, 2 August 1994 (LOS/PCN/144).

2/ Understanding on the Fulfilment of Obligations by the Registered Pioneer Investors and their Certifying States (LOS/PCN/L.87, annex), which applies to the Government of India, the Institut Français de Recherche pour l'Exploitation de la Mer (IFREMER/AFERNOD), the Deep Ocean Resources Development Co. Ltd. (DORD) and the Soviet State enterprise Yuzhmorgeologiya and to their respective certifying States, namely, India, France, Japan and the Union of Soviet Socialist Republics; Understanding on the Fulfilment of Obligations by the Registered Pioneer Investor, the China Ocean Mineral Resources Research and Development Association (COMRA) and its certifying State, the People's Republic of China (LOS/PCN/L.102, annex), Understanding on the Fulfilment of Obligations by the Registered Pioneer Investor, the Interoceanmetal Joint Organization (IOM), and its certifying States, the Republic of Bulgaria, the Republic of Cuba, the Czech and Slovak Federal Republic, the Republic of Poland and the Russian Federation (LOS/PCN/L.108, annex); Understanding on the Fulfilment of Obligations by the Registered Pioneer Investor, the Government of the Republic of Korea, and its certifying State, the Republic of Korea (LOS/PCN/L.115/Rev.1, annex).

3/ On 25 November 1992, the Federal Assembly of the Czech and Slovak Federal Republic adopted Constitutional Law No. 542 which terminated the existence of the Czech and Slovak Federal Republic; the Law came into force on 31 December 1992. The legal successors to the Czech and Slovak Federal Republic are two sovereign States: the Czech Republic and Slovakia. The Czech Republic and Slovakia were both admitted to membership in the United Nations on 19 January 1993.

4/ This section is based on the final report of the Training Panel to the General Committee of the Preparatory Commission (LOS/PCN/BUR/R.48).